

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.61745

Daniel Potocki  
Supiaya Chambers

7557 Westfield Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 30, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BC) section 13-7-401 (a)(2), failure to cut grass, failure to remove trash: mattress etc. on residential property zoned DR 10.5 known as 7557 Westfield Road, 21222.

On June 15, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,500.00 (one thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 1, 2009 for removal of trash and debris, and to cut tall grass and weeds. This Citation was issued on June 15, 2009.

B. Photograph in the file shows a mattress and box spring and other debris piled in the back yard, and bagged garbage on the ground. This violates prohibitions against open dump conditions, and prohibitions against conditions conducive to rat harborage. Garbage must be stored in cans with tight-fitting lids. Old discarded furniture must be taken to the dump and cannot be left out for garbage collection.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected, with all junk removed and all garbage properly stored in cans with tight-fitting lids, by July 20, 2009. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that after July 20, 2009, Baltimore County may enter the property to remove all junk, trash, and debris, at the property owners' expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 7<sup>th</sup> day of July 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer